



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

November 4, 2021

The Council of Park City, Summit County, Utah, met in open meeting on November 4, 2021, at 4:15 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property and litigation at 4:15 p.m. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 5:00 p.m. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

WORK SESSION

Discuss the Administration of Public Bodies:

Michelle Downard, Resident Advocate, presented this item and indicated different staff managed each board or public body and there was no consistency from board to board. She recommended consolidating all the bodies' policies into one code chapter. She also explained the process for appointing board members and stated some bodies had the mayor appoint and others had the appointment by advice and consent of Council. Since the authority was inconsistent, she requested clarification and consistency. Regarding meeting reimbursements, Downard displayed a spreadsheet on the pay and policies for different bodies. She noted incentives could be given to members as a form of noncash reimbursement.

Council Member Gerber asked if incentives were only intended for the member or they could apply to board members and their families. Downard stated there were some tax limitations for some discounts, but staff could work with many incentives to include families.

Council Member Henney asked if the monetary reimbursements for the City boards were capped, to which Downard affirmed. Margaret Plane, City Attorney, clarified that municipal bodies had to follow the same rules the State implemented in its administrative code regarding public bodies. Council Member Gerber asked if per diem was intended to cover outside costs, such as daycare. Plane indicated the State had a definition of per diem, which was the taxable compensation paid for attendance.

Council Member Joyce stated the actual meetings might last five to six hours, but there were 15-20 hours of preparation, including reading the packet and understanding complicated materials. The level of preparation depended on the board. He wanted board members to feel appreciated.

Council Member Doilney noted some states didn't allow compensation for boards. He agreed members needed to feel appreciated. Council Member Gerber stated monetary compensation would help recruit diverse members, who might not otherwise be able to leave work to attend the meetings. She suggested compensation for reading packets. Plane stated the board members were paid through the City's payroll, and indicated there were nuances that could be looked at so they wouldn't be classified as employees. Council Member Doilney asked if the State law could be changed. Dias stated the bodies were voluntary. He hoped to show board members the City's appreciation through compensation and incentives, including amenities provided by the City such as golf or recreation passes. He would also research what could be done at the State level.

Mayor Beerman thought the Planning Commissioners should be invited to the annual holiday party. He supported making all board appointments consistent, except for the boards who made recommendations to Council for their member appointments. He indicated the goal was to make City boards more diverse and suggested working with the Community Foundation which might be able to reimburse board members through scholarships. Council Member Joyce stated the incentives would not make boards more diverse. If the City was serious about having diversity, the City Council or Planning Commission could not require such a large time commitment. Other boards could be diverse since they didn't have the same time commitment.

Matt Dias asked if staff could change the public body policies so appointments would be by advice and consent of Council with the exception of those few mentioned boards. Council Member Gerber liked ranking applications so the Council didn't have to interview every applicant. Council Member Worel was not in favor of ranking and thought all who applied should be given an opportunity to interview. She referred to the Library Board appointment system, where a committee interviewed the applicants and brought a recommended name to Council for appointment. Mayor Beerman stated traditionally the Mayor and each Council member had a vote and he favored that going forward.

Plane referred to the spreadsheet and stated a Mayor appointment with the advice and consent of Council was the Mayor decided and the Council would vote up or down on that name. Everyone deciding and having a voice in the appointment would reduce the authority of the Mayor.

Council Member Henney indicated Council had been collaborating on appointments, which was not advice and consent. Plane asked what Council wanted to do going forward. Council favored continuing with the collaboration between the Council and Mayor. Council Member Worel asked that the Library Board and a few other boards keep their current system for appointments.

Discuss Rossie Hill and Coalition View Court Project Scope:

John Robertson, City Engineer, reviewed the history of this project and noted there were several complaints on speeding and roadside parking in the area. The agreed solution was to narrow the road to induce traffic calming. A survey was distributed to the residents of the area and the majority of respondents were not in favor of narrowing the road. Staff did a speed study and did not see significant speeding on Rossie Hill.

Council Member Worel was happy there was good outreach and public input. Council Member Gerber asked if there would still be parking on the road if the street was not narrowed. Robertson stated "No Parking" signs would be put up so that shouldn't be an issue. Council Member Joyce noted signs were put on one side until construction started and drivers followed those signs. Council Member Gerber also asked about snow storage for that area. Robertson stated Public Works felt they could maintain service whether or not the road was narrowed. Council Member Henney asked what the speed limit was on that road, to which Robertson stated 25 mph. Council Member Henney suggested reducing the speed limit to 15 mph. Robertson stated if the speed was reduced without narrowing the road, it would not be effective. He noted a speed study would have to be done before a reduction could be considered.

Council Member Joyce stated staff and a majority of neighbors thought leaving the road width as it was currently was fine so he was supportive. Council agreed to remove the narrowing of the road from the scope of the project.

SPECIAL MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber	Present

Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	
None	Excused

II) RECOGNITION

1. Consideration to Approve Resolution 24-2021, a Resolution Acknowledging Karen Ovard's Retirement from Park City Municipal Corporation and Recognizing her Many Contributions in Providing Service to Park City:

Mindy Finlinson, Finance Director, presented this item and stated she and others in the audience were here to honor Karen Ovard as she would be retiring after more than 39 years working for Park City. She praised Ovard for her positive attitude and work ethic.

Mayor Beerman and the Council expressed appreciation for all Ovard did for the City. Matt Dias stated public service was all about people and Ovard would be very missed. Ovard stated working for Park City was a real pleasure.

Council Member Gerber moved to approve Resolution 24-2021, a resolution acknowledging Karen Ovard's retirement from Park City Municipal Corporation and recognizing her many contributions in providing service to Park City. Council Member Joyce seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Doilney stated an election just passed and he was happy to work with the ones leaving and would enjoy working with the ones coming in.

Council Member Henney indicated he was sad not to be reelected, but he felt fortunate to have served the community for the past eight years. One of the most important things was all the relationships he built with staff and community members.

Council Member Gerber stated housing was a hot topic in the City. She spoke with a realtor who said 10 homes came on the market last week. The homes for sale in the City had a median price of \$3.5 million. These numbers were brutal on the community.

She knew it would be hard to gain or keep workforce and thought the City had a housing crisis. Council Member Joyce thought there was a nationwide housing crisis.

Council Member Worel asked if the City was planning a celebration for Veteran's Day. Michelle Downard discussed partnering with the National Abilities Center for the Fields of Flags at Miners' Hospital and coordinating speakers for that event. Dias stated word would get out on social media.

Council Member Doilney noted it was National American Indian Heritage month. He hoped the City could celebrate each month of the year for what it recognized. Dias stated National American Indian Heritage month was honored in the different municipal facilities.

Mayor Beerman congratulated Council Member Worel, Jeremy Rubell, and Tana Toly on winning the election. He stated LivePC GivePC was this Friday and he hoped everyone would donate to nonprofits.

IV) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for anyone who wished to comment or submit comments to the Council on items not included on the agenda.

Jeff Camp stated he supported not narrowing the Rossie Hill Road, but he called staff repeatedly to install the "No Parking" signs again, which were lying in the dirt. He also noted nobody paid attention to the stop sign coming down hill. He suggested putting a roundabout there. Mayor Beerman requested the signs be installed.

Laura Suesser eComment: "It's my understanding that during recent excavation at 1203 Park Ave, a natural spring was uncovered and the water flow is now being channeled into the storm drain. I understand a natural spring behind the BPOE building on Main St is being channeled in a similar manner. If it hasn't already, perhaps the City should explore the possibility of channeling these natural springs (and any others) to Poison Creek. Just an idea. Thanks."

Sean Kelleher, President of the Echo Spur HOA eComment: "I'd like to thank the City staff for the tremendous outreach to the neighborhood regarding this project. It is greatly appreciated! Two issues that has been created by the (understandable) delays in getting this project completed: 1.) the delay has led to further maintenance issues in the infrastructure around Rossie Hill: cracked sidewalks, old streetlamps that are out of date and/or code (including Dark Sky issues), and other minor issues. This should be dealt with as part of the greater Rossie Hill Drive project. 2.) The project also needs an

updated plan for mitigating the steep slope at the intersection of Rossie Hill Drive and Ontario Ave. (including landscaping). If the section of Rossie Hill Drive between Ontario and Echo Spur is to be lowered & flattened, some retaining walls are likely to be necessary. To get this project ready for Spring 2022 (I hope...), we'd like to work with the City to finalize these remaining issues. Thanks to all for their hard work on this!"

V) OLD BUSINESS

1. Park Silly Sunday Market (PSSM) Debrief:

Jenny Diersen, Special Events Manager, presented this item and displayed highlights of the 2021 season. She indicated Kate McChesney worked hard to make the event a success in uncertain times. She requested Council approve the dates in the 2022 contract. McChesney stated this was their 15th summer and she thanked Council for the partnership.

Council Member Gerber asked if there was outside advertising and noted attendance was up 19%. McChesney stated there was a little magazine ad, and the only other advertising was through social media.

Council Member Joyce indicated PSSM would not be held on August 7, 14 and 21 and asked if that was because of Arts Fest, Tour of Utah, and a day without an event, to which Diersen affirmed.

Council Member Gerber stated at one time, the Historic Park City Alliance (HPCA) didn't want vendors at the top of the street, but now she thought they were hoping for vendors at the top of Main. McChesney stated she was happy to communicate with HPCA about their concerns and desires. It was harder to nail down what they wanted versus what PSSM was willing to do.

Council Member Joyce indicated he and Council Member Henney were the liaisons for PSSM, and by the end of the season they could see there was not a lot of activation at the top of Main. He thought if car-free Sundays continued next year, there could be more activations that HPCA could control.

Mayor Beerman opened the meeting for public input.

Mary Holley eComment: "Most of my friend believe the silly market has had a good run and we want a town back. Couldn't we put it on the ballot."

Mayor Beerman closed the public input portion of the meeting.

Council Member Joyce stated he had no issues with the proposed dates for next year. He thought Council should make an effort to reduce the impact of events on the town,

and they should consider where this event fit with the other events. He also thought an effort should be made to push the fee waivers to zero. Council Member Gerber noted the fee waivers were reduced this year. Diersen clarified PSSM received \$60,000 in fee waivers annually. The City also paid PSSM to manage the bollards. She noted the City used to pay \$15,000 for sustainability measures and now it didn't pay for those efforts.

Mayor Beerman commented people loved it or hated it and he hoped McChesney could be creative in how to adapt to the market and the community.

Council Member Doilney moved to approve Park Silly Sunday Market 2022 event dates and the scheduling of a Council meeting date for negotiations for a future contract. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

Council Member Joyce stressed the new contract discussion should include all events and should be scheduled for January.

2. Arts Festival Debrief:

Jenny Diersen, Special Events Manager, Hilary Gillson, Festival Director, and Aldy Milliken, Executive Director, Kimball Arts Center (KAC), were present for this item. Diersen stated this event was canceled during the pandemic and a lot was done to bring it back in 2021. The economic impact to the City was \$14 million. She displayed other highlights from the event.

Milliken reviewed the benefits of art. He noted feedback from the Arts Festival was overwhelmingly positive. Proceeds from the event helped KAC provide programs year-round. Gillson stated the festival was a great success and they looked forward to continuing the partnership with the City.

Council Member Joyce asked if managing tickets and the festival format would stay the same or if it would change in the future. Milliken stated they were pleased with the format and would continue with the mix of artists and charging for attendance. He noted charging admission was a way to regulate attendance on Main Street. Council Member Gerber liked the tracking system to know who was attending the festival.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Diersen asked for direction on the contract negotiation timeline and using HPCA liaisons Council Members Gerber and Joyce. Mayor Beerman stated February would be a realistic timeline. Council Member Worel asked if they needed a timeline by March.

Diersen stated a decision needed to be made by the end of March. Council Member Doilney suggested the liaisons could take the next couple months to develop the concerns to be discussed next year. Mayor Beerman indicated the City was happy to see Arts Fest again and it seemed like life was normal.

3. Arts District Temporary Programming Update:

Jenny Diersen, Special Events Manager, Jocelyn Scudder, Executive Director, Park City Summit County Arts Council, and Kate McChesney, Executive Director, Park Silly Sunday Market, were present for this item. Diersen stated the Arts District programming during the past few months created connectivity with or without scheduled events. This was not meant to be a big event and it was focused on local residents. The programming supported local artists, musicians, dance groups, nonprofits, and food trucks. She noted the site management cost came to \$130,000 which was below \$149,000 budget. Some challenges encountered included finding local food trucks and the early winter weather. She asked if Council was interested in winter programming, winter events or parking at the site, and/or spring and summer programming.

Scudder stated art transformed the space and she thought programming would add vibrancy to the area. She noted attendance grew throughout the summer and the people attending the programming also patronized the local restaurants and businesses within walking distance. She indicated the space had a real potential to become a viable community gathering space. McChesney agreed and thought the programming created friendships.

Council Member Worel asked for a breakout of how the budget was spent, to which Diersen stated she could email that to the Council members. Council Member Gerber stated she attended some of the programming and it harkened back to a former Park City. She enjoyed the performances and thought this showed simple things could bring connection. She hoped the food truck challenge could be worked out before spring. She suggested a sandbox for the area and a site cleanup over the winter to remove nails, etc. Council Member Doilney agreed and stated this was a comfortable space where kids could play and experience art. He thought amazing things could happen on this property. He felt winter programming would be difficult and supported the suggestion of using the area as overflow parking during that time, then programming next spring.

Council Member Joyce thought it was a great spot. He was against programming or events for the winter and supported programming again when the weather warmed up. Council Member Gerber requested this item come back to Council for consideration if there was an opportunity for winter programming. Council Member Henney thought the programming was a great success and he agreed with Council Member Gerber that future programming ideas should be presented to Council. Council Member Worel was against winter programming. She hoped to see how the money was spent and then evaluate if programming should come back in the spring.

Mayor Beerman summarized the site had a lot of potential. He thought potential uses should be brought to Council for discussion. He requested that the programming budget be discussed during the budget amendment item coming to Council on November 18th.

VI) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Administration of Public Bodies



DISCUSSION

- 1) Consolidate all public bodies into one code chapter with a uniform set of policies. (allowing justified variations)
- 2) Clarify the appointment authority and process for public bodies and recommend changes to the relevant ordinances or resolutions.
- 3) Direct staff to review per diem reimbursement or other incentives for members of public bodies, within the limitations of Utah State Law.

APPOINTMENTS

- [Utah Code § 10-3-104\(1\)\(c\)\(v\)](#) outlines the general rule in the six-member council form of municipal government: the mayor may appoint members of public bodies, with the city council's advice and consent.
 - However, [Utah Code § 10-3b-303\(1\)\(b\)\(i\)\(A\)](#) allows the city council to modify or remove this power by ordinance, which is what PCMC has done in some cases.
- No appointments during closed meetings.
 - The Open and Public Meetings Act (OPMA), [Utah Code § 52-4-205](#), states that a closed meeting may be held for “discussion of the character, professional competence, or physical or mental health of an individual,” not decision-making.
 - [Park City Municipal Code 2-3-6 \(A\)\(3\)](#) prohibits approving an appointment during a closed meeting.

PUBLIC BODIES

Public Bodies	Appointment Authority	Per Diem Reimbursement Governing Language	Existing Per Diem Reimbursement
Board of Adjustment	Mayor with advice and consent of Council	"The Council may fix per diem compensation for the members of the Board of Adjustment by resolution, based on necessary and reasonable expenses for meetings actually attended." PCMC 15-10-1	\$40
Board of Appeals	Council		
Forestry Board	City Manager	Exclusive to City Staff	
Historic Preservation Board	Mayor		\$60
Library Board	City Council	"Directors shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds." PCMC 2-4-15	
Planning Commission	Mayor with advice and consent of Council	"The Planning Commission members shall receive an allowance for each meeting attended, as established by the City Council." PCMC 15-12-8	\$100
Police Complaint Review Committee	Candidates must be interviewed by Mayor and Council or their designee; Appointments are by the Mayor and Council	"Members of the Committee shall perform their services on the Committee without pay or other compensation, except for payment of reimbursement of expenses actually and reasonably incurred and as approved by the Chief of Police." per Policy adopted through Resolution 05-2017	
Public Art Advisory Board	Mayor and City Council	"Board Members are not compensated." per Policy adopted through Resolution 18-2020	
Recreation Advisory Board	Mayor with advice and consent of Council	"Members...shall serve without compensation." PCMC 2-4-14	

INCENTIVES

- 1) Ski resort access pass checkout (as available)
- 2) MARC pass + discounts on day camps
- 3) Ice pass for free skate and discount on Hockey
- 4) Golf- 10 punch discounted pass
- 5) City Facility rental discounts (Library, Park Pavilions, Miner's Hospital)
- 6) Meals/Snacks- based on meeting duration
- 7) Park City Apparel



DISCUSSION

- 1) Consolidate all public bodies into one code chapter with a uniform set of policies. (allowing justified variations)
- 2) Clarify the appointment authority and process for public bodies and recommend changes to the relevant ordinances or resolutions.
- 3) Direct staff to review per diem reimbursement or other incentives for members of public bodies, within the limitations of Utah State Law.

Park Silly Sunday Market Debrief

2021 Highlights



1. Sustainability Measures –76% diversion rate
2. Vendor Mix – 30% Summit County, 67% Utah
3. Transit – 64,710 riders throughout the 14-day event.
4. Parking – 85% or above between 11 a.m. and 4 p.m.
5. Alternative Transportation – Protrans & Bike Valet
6. Partnerships – 140 Free booths & community events
7. Working Group – Transportation, Signage and Programming

Requests for Council:

1. Approve 2022 Dates (June 5 to July 31, August 28 to Sept. 25). No event Aug. 7, 14, 21
2. Direction regarding proposed timeline on negotiation (January) and Council Liaison.

Temporary Programming at the Arts District







"Park City is the show that allows us to continue being full time artists. You offer us the opportunity to sell our artwork in a beautiful venue with appreciative patrons. We are already looking forward to next year!"

**KIMBALL
ARTS
CENTER**

2021 Participating Artists, Tom and Susan Mason, Wood



Park City Kimball Arts Festival Debrief



2021 Highlights

1. Economic Impact - \$14M, and higher spend
2. Attendance— 26,853; better data with daily tickets
3. Connect arts and community - 46 artists from Utah, 17 from Wasatch Back
4. Sustainability Measures –12,111 lbs recycled. Conserved 2.05 metric tons of CO2.
5. PC Transit – 21,280 rides
6. Parking – 85% (rates returned to normal at 5 p.m.)

Requests for Council:

1. Proposed timeline on negotiation (January) and affirm Council Liaison.





"Park City is the show that allows us to continue being full time artists. You offer us the opportunity to sell our artwork in a beautiful venue with appreciative patrons. We are already looking forward to next year!"

**KIMBALL
ARTS
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2021 Participating Artists, Tom and Susan Mason, Wood

